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10 **UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON**

11 STATE OF WASHINGTON, et al.,  
12 Plaintiffs,  
13 v.  
14 UNITED STATES FOOD AND  
DRUG ADMINISTRATION, et al.  
15 Defendants.  
16

NO. 1:23-cv-03026-TOR

DECLARATION OF  
KRISTIN BENESKI IN SUPPORT  
OF PLAINTIFF STATES'  
RESPONSE TO MOTION TO  
INTERVENE

17 I, Kristin Beneski, declare as follows:

18 1. I am over the age of 18, am competent to testify to the matters  
19 herein, and make this declaration based on my personal knowledge.

20 2. I am First Assistant Attorney General with the Washington State  
21 Office of the Attorney General and counsel of record in this matter.  
22

3. Attached hereto as Exhibit A is a true and correct copy of an April 10, 2023 email exchange between counsel for the State of Idaho, counsel for Defendants, and me.

I declare under penalty of perjury under the laws of the State of Washington and the United States of America that the foregoing is true and correct.

DATED this 13th day of April, 2023 at Seattle, Washington.

/s/ Kristin Beneski  
Kristin Beneski  
First Assistant Attorney General

**CERTIFICATE OF SERVICE**

I hereby certify that on April 13, 2023, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF System, which in turn automatically generated a Notice of Electronic Filing (NEF) to all parties in the case who are registered users of the CM/ECF system. The NEF for the foregoing specifically identifies recipients of electronic notice.

DATED this 13th day of April, 2023, at Seattle, Washington.

/s/ Kristin Beneski

KRISTIN BENESKI, WSBA #45478  
First Assistant Attorney General